

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

NGCOBA ATKINS,

Plaintiff,

v.

WALMART INC..

Defendant.

Case No. 6:20-CV-1217 (BKS/ATB)

**DEFENDANT'S NOTICE OF
MOTION FOR SUMMARY
JUDGMENT**

Motion by:

Defendant Walmart, Inc.

Relief requested:

An order granting Defendant summary judgment against Plaintiff's Complaint pursuant to FRCP 56. Defendant further requests such other relief as the Court may deem just and proper, including costs and disbursements.

Grounds for relief:

There is no genuine issue of material fact, and Defendant is entitled to judgment as a matter of law against Plaintiff's claims.

Supporting papers:

Defendant's Local Rule 56.1 Statement of Material Facts Not In Dispute, with accompanying exhibits attached thereto, including the Affidavit of Maureen Sheedy, sworn to November 4, 2021.

Defendant's Notification of the Consequences of Failing to Respond to a Summary Judgment Motion, pursuant to Local Rule 56.2.

Memorandum of Law in Support of Defendant's Motion for Summary Judgment, dated November 4, 2021.

Opposition papers:

Plaintiff must file and serve any opposition papers no more than twenty one (21) days after service of this motion, per Local Rule 7.1(a).

Reply papers:

Defendant shall serve any reply papers no more than seven (7) days after service of Plaintiff's response papers, per Local Rule 7.1(a).

Oral argument:

Defendant requests oral argument if such is requested by Plaintiff and granted by the Court.

If oral argument is granted by the Court, Daniel J. Moore will argue on behalf of Walmart, Inc.

HARRIS BEACH PLLC

Dated: November 4, 2021

s/Daniel J. Moore
By: _____

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